



OFFICE OF  
INSURANCE COMMISSIONER

FILED

2005 APR 29 A 10:27

Hearings Unit, DIC  
Patricia D. Petersen  
Chief Hearing Officer

**DECLARATION OF MAILING**

I declare under penalty of perjury  
under the laws of the State of  
Washington that on the date listed  
below, I mailed or caused delivery  
of a true copy of this document to  
*parties listed below.*

DATED this 29 day of April 2005  
at Tumwater, Washington.

Signed: Wendy Galloway

HEARINGS UNIT  
Fax: (360) 664-2782

Patricia D. Petersen  
Chief Hearing Officer  
(360) 725-7105

Wendy Galloway  
Administrative Assistant  
WendyG@OIC.wa.gov.  
(360) 725-7002

In the Matter of:

**ANA P. GOMEZ,**

Licensee.

NO. D05-105

**NOTICE OF HEARING**

TO: Ana P. Gomez  
1431 242<sup>nd</sup> Pl. S.E.  
Sammamish, Washington 98075

AND TO: Douglas Engel, Esq.  
Dubuar, Lirhus and Engel, LLP  
720 Olive Way, Suite 625  
Seattle, Washington 98101

COPY TO: Mike Kreidler, Insurance Commissioner  
Michael G. Watson, Chief Deputy Insurance Commissioner  
Carol Sureau, Deputy Commissioner, Legal Affairs  
John Hamje, Deputy Commissioner, Consumer Protection  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

On April 6, 2005, a Demand for Hearing was received from Ana P. Gomez by and through Douglas Engel, of Dubuar, Lirhus and Engel, LLP of Seattle, Washington, her attorney. The purpose of said Demand for Hearing is to contest the Commissioner's Order Revoking License entered March 18, 2005. Said Order revokes the insurance agent's license of the Licensee effective April 7, 2005. Because the Demand for Hearing was received prior to the effective



NOTICE OF HEARING

No. D05-105

Page 2

date of revocation, pursuant to RCW 48.04.020 the revocation is stayed pending entry of the final order after hearing.

Accordingly, on April 27, 2005, the undersigned held a first prehearing teleconference in this matter. Ms. Gomez was represented by Douglas Engel, Esq., and the Commissioner was represented by Carol Sureau, Deputy Commissioner of his Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. Of significance, Ms. Gomez requested that exchange of witness lists prior to the hearing be ordered, and the Commissioner requested that exchange of exhibit lists prior to the hearing be ordered; these requests were granted and are set forth in the Order below.

Finally, during the subject first prehearing teleconference, the parties agreed that the hearing in this matter shall be scheduled to commence at **10:00 a.m. on Friday, June 17, 2005.**

The purpose of the hearing will be to determine the validity and propriety of the Commissioner's afore-referenced Order Revoking License.

The hearing will be held under the legal authority and jurisdiction granted the Commissioner by the Insurance Code, Title 48 RCW, and specifically RCW 48.04.010.

The Commissioner will be represented by Carol Sureau, Deputy Commissioner of the Legal Affairs Division. Her mailing address is P.O. Box 40255, Olympia, Washington 98504 and her telephone number is (360) 725-7050. Ana P. Gomez will be represented by Douglas Engel, Esq., whose address is Dubuar, Lirhus and Engel, LLP, 720 Olive Way, Suite 625, Seattle, Washington 98101 and whose telephone number is (206) 728-5858.

The adjudicative proceeding will be conducted pursuant to the requirements of ch. 34.05 RCW, the Administrative Procedure Act, and will be governed by the model rules of procedure, ch. 10-08 WAC. Ms. Gomez may be represented by counsel, and may examine witnesses and fully respond and present evidence and argument on all relevant issues involved.

Based upon a delegation of authority from the Commissioner, the undersigned will conduct the hearing and will make the final decision and enter the final order relative to this matter. Her address is P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7105.

As above, on April 27, 2005, the undersigned held a first prehearing teleconference in this matter. Any future questions or concerns, or requests for additional prehearing conferences, which may arise, may be directed by any party to Wendy Galloway, administrative assistant to the undersigned, who can be reached by telephone at (360) 725-7002, or at the above address.

NOTICE OF HEARING

No. D05-105

Page 3

As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to the original of this Notice, with instructions thereon.

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

**ORDER**

Based upon the above activity,

**IT IS HEREBY ORDERED** that the parties shall exchange witness lists on or before close of business on June 7, 2005;

**IT IS FURTHER ORDERED** that the parties shall exchange exhibits lists on or before close of business on June 9, 2005;

**IT IS FURTHER ORDERED** that the adjudicative hearing in this matter shall commence on **Friday, June 17, 2005, at the hour of 10 a.m.**, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT TUMWATER, WASHINGTON, this 29<sup>th</sup> day of April, 2005 pursuant to RCW 48.04, Title 34 RCW and applicable regulations.



PATRICIA D. PETERSEN  
Presiding Officer